

**\*NOTICE\***  
**March 24, 2017**  
**Revision of the Uniform Local Rules of Court**  
(California Rules of Court 10.613(g))

The Sonoma County Superior Court Judges have approved proposed changes/additions to Sonoma County Local Rules of Court, effective July 1, 2017, and are making them available for comment for a 45 day period to those individuals and organizations specified under Rule 10.613(g) of the California Rules of Court. The deadline for the 45 day comment period is May 8, 2017.

Comments may be directed to José Octavio Guillén, Court Executive Officer, Sonoma County Superior Court, 600 Administration Drive, Santa Rosa, CA 95403.

The proposed changes and additions to the Sonoma County Local Rules are indicated in the following fashion in the submissions below:

abede Deleted text  
abcde Revised text  
\*\*\* Unchanged text

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## **RULE 4 RULES APPLICABLE TO ALL CIVIL CASES**

### **4.1 DIFFERENTIAL CASE MANAGEMENT**

- A. The following rules are adopted to advance the goals of the Trial Court Delay Reduction Act set forth in Government Code sections 68603, et seq., and addressed by sections 2.1 and 2.2 of the Standards of Judicial Administration and California Rules of Court, rules 3.710 et seq., all incorporated herein by reference. It is the intent of this court that these rules satisfy the court's obligations under the Trial Court Delay Reduction Act, and the requirement of the California Rules of Court that the court adopt local rules on differential case management consistent with the California Rules of Court and the Standards of Judicial Administration.
1. Upon the filing of every complaint the clerk shall provide to the plaintiff Notice of the Case Management Conference; and information on how to obtain an ADR packet and Judge Pro Tem Program information, which plaintiff is required to serve with the complaint;
  2. Any party who adds a party to the proceeding must inform the new party of any pending dates set by the court including a pending case management conference date, a pending settlement conference date and a pending trial date.
  3. Requests to continue a Case Management Conference must be set forth in the Case Management Conference Statement;
  4. When a party to a case dies, the attorney for that party shall promptly serve and file a notice with the court;
- B. All general civil cases shall be deemed to be cases subject to California Rules of Court, Rule 3.714(b)(1) or (2), based on the amount in controversy, unless otherwise requested in a Case Management Statement (Judicial Council form #CM-110) filed by counsel or any self-represented party and thereafter ordered by the court.
- C. Unless a separate management plan is defined in the California statutes or in the California Rules of Court, Unlawful detainer actions and Injunctive proceedings pursuant to Code of Civil Procedure shall be placed in the local case management plan for disposition within six months.

- D. Uninsured and Underinsured Motorist Actions. At the time the complaint or petition is filed, or within 30 days after discovering that the case is an uninsured or underinsured motorist case, plaintiff /petitioner shall file an ex parte application with a supporting declaration and proposed order requesting that the case be designated as an uninsured or underinsured motorist case. To allow for arbitration of the plaintiff/petitioner's claim, the Civil Case Management Rules do not apply to a case designated by the court as "Uninsured Motorist" or "Underinsured Motorist" as defined in Government Code section 68609.5 and Insurance Code section 11580.2 until 180 days from the date of the designation. The clerk's office shall set a Case Management Conference on the earliest available CMC calendar after 180 days from the designation of the case as an uninsured or underinsured case.

All other civil actions identifiable on the Civil Case Cover Sheet (Judicial Council form #CM-010) under the headings of Judicial Review, Enforcement of Judgment, or Miscellaneous Civil Petition, shall be placed in the local case management plan for disposition within nine months.(Eff. 1/1/1997; Rev. 7/1/2004, 1/1/2007, 1/1/2008, 7/1/2011, 1/1/2014, 7/1/14, 1/1/15, 1/1/16; 7/1/16).

## RULE 5 RULES APPLICABLE TO CIVIL LAW AND MOTION PROCEEDINGS

### 5.6 EX PARTE APPLICATIONS

- A. Each request for ex parte application, notice and declaration must comply with California Rules of Court, Rules 3.1200, et. Sec. All civil ex parte ~~civil~~ law and motion applications including applications for temporary relief, orders to show cause, orders shortening time or extending time, extraordinary writs, and other provisional remedies, except as otherwise provided, must be presented to the Assigned Judge at the times and locations as designated on the Court's Website (<http://sonoma.courts.ca.gov/divisions/civil>) except as shown in Rule 17.7 herein.
1. The following matters shall be deemed excluded from the ex parte applications presented under this rule and shall be governed by other applicable sections of the Sonoma County Superior Court Rules, to wit: family law matters, domestic violence and civil harassment matters.
- B. Each application must include a written declaration showing that notice of the ex parte application has been given to the opposing party(ies) or counsel no later than 10:00 a.m. the court day before the ex parte [see California Rules of Court, rules 3.1200 - 3.1207] previous to the time of presentment of the application and the details thereof, including whether the opposing party is represented by counsel, the nature of the contact, and whether such party has agreed to the requested order or a factual showing in support of any application requested to be issued without notice.
- C. Each application must also include a declaration showing that there is a compelling need for emergency handling of the ex parte application and why it should not be processed routinely by presentation to the clerk of the court at the office of the clerk.
- D. If the application is opposed, the attorneys must meet and confer prior to presentation of the ex parte hearing.  
(Eff. 1/1/1997; Rev. 1/1/2006, 1/1/2007, 7/1/2008, 1/1/2014, 7/1/2017)

## RULE 8 RULES APPLICABLE TO CRIMINAL TRIAL PROCEEDINGS

### ~~8.13~~ VACATING CIVIL ASSESSMENT

- A. ~~After a case is referred to Court Collections or GC Services for failure to appear, and a civil assessment is imposed, the agency shall issue a ten (10) day warning notice plus five (5) days for mailing, pursuant to Penal Code §1214.1.~~
- B. ~~A petition must be obtained from and filed with Court Collections or GC Services to request that the civil assessment be vacated. A money order or cashier's check in the amount of the original total bail, which includes base fines plus applicable penalty assessments and fees, shall be attached to the petition.~~

- ~~C. The judicial officer will grant or deny the petition. If the petition is granted, the civil assessment shall be vacated, and the judicial officer shall rule on the underlying violations. The money order or cashier's check shall be applied to the court ordered fine amount. If the petition is denied, all or a portion of the civil assessment shall remain, and the judicial officer may rule on the underlying violations. The account shall remain with Court Collections or GC Services, and money posted shall be applied to the account balance.~~
- ~~D. Defendant has five (5) days, upon receipt or denial of the petition, in which to notify the court to set the matter for a further hearing or the denial becomes final. (Eff. 1/1/1997; Rev. 1/1/2005, 7/1/2007; Effective 5/1/17.)~~

## **RULE 9 RULES APPLICABLE TO FAMILY LAW PROCEEDINGS**

### **9.11 DOMESTIC VIOLENCE RESTRAINING ORDERS (FAMILY CODE §§ 6200-6389)**

Notice and Delivery of Applications for Domestic Violence Temporary Restraining Orders, including copies of all documents to be submitted must be given to the opposing party or attorney by 10:00 a.m. the day before the application is scheduled to be reviewed by the assigned judicial officer. For details see local form FL-04640.

Opposition papers may either be submitted in person at the Sonoma County Court Clerk's Office, Family Law Division, 3055 Cleveland Avenue, Santa Rosa, or faxed to the court at (707) 521-6763 by 8:30 a.m. on the day of the review. A copy of the opposition papers shall also be served personally, by fax or e-mail on the opposing party by 8:00 a.m. on the day of judicial review. If service of the opposition papers is not possible, an ex parte declaration shall be filed providing the reasons for the lack of service. (Sonoma County form FL-04640).

Judicial review of the requests for temporary orders shall be conducted Monday through Friday beginning at 8:30 a.m. by a judicial officer designated by the presiding judge. At the discretion of the judicial officer, oral argument may be taken. If this is to occur, the court will notify counsel or parties by noon on the morning of the review. If counsel or parties wish to appear by telephone, their pleadings shall so indicate. (Eff. 7/1/13) (renumbered 1/1/2016)

### **9.13 DOMESTIC AND CHILD SUPPORT CALENDARS**

#### **D. Continuance or Drops**

##### **1. Continuances on Domestic and Child Support Matters**

Stipulated continuances prior to the court date will be allowed a maximum of two (2) times. Thereafter, a court appearance is required to request a continuance. The party(ies) requesting a continuance after two continuances has/have already been granted, shall be required to **show good cause and/or an emergency. All requests beyond the maximum two (2) will be delivered to the judicial assistant for the assigned judicial officer to review.**

To request a continuance, a NOTICE OF STIPULATED CONTINUANCE (FAMILY LAW) (Sonoma County form FL015) executed by all parties or their attorneys and the continuance fee must be submitted to the family law clerk no later than noon (12:00 p.m.) two (2) court days prior to the hearing date. Signatures transmitted by facsimile transmission (fax) are acceptable.

At the time of submission of a notice of stipulated continuance, all parties must:

- a. State the number of times the matter has been continued previously.
- b. State the date(s) that the parties met and conferred on the issue(s).

- c. Review Sonoma County Local Rules, rule 9.20 and acknowledge that they have considered participation in a Settlement Conference.

If a party is unable to submit a Notice of Stipulated Continuance, Sonoma County local form FL015, to the court by noon (12:00 p.m.) two (2) court days prior to the scheduled hearing, then good cause and/or an emergency must be shown to the court on the day of the hearing. Furthermore, a courtesy call to the Judge's judicial assistant is required by 3:00 pm one (1) court day prior to the scheduled hearing. The content of the call shall be limited by providing only notice that an in court continuance will be requested and that good cause and/or an emergency will be presented.

Orders to show cause and motions shall be heard and resolved within four (4) months of the original hearing date absent a showing of good cause and/or an emergency.

### 3. **Dropping a Case from the Domestic or Child Support Calendars**

The moving party may drop a case from the Domestic or Child Support Calendar by submitting the Request to Drop Hearing form (FL-042) or submitting the request in pleading format, contacting the Family Law Clerk at 521-6500 by noon (12:00 p.m.), one (1) court day prior to the hearing date. The following matters may not be dropped without a written stipulation covering the status of existing court orders or upon leave of the Court:

- a. Restraining orders.
- b. Child custody and visitation parenting plans or orders which have been issued in conjunction with a domestic violence restraining order and transmitted to the Department of Justice through the California Law Enforcement Telecommunications Systems (CLETS).
- c. Any matter in which a Responsive Declaration has been filed seeking affirmative relief on the pending issues.

## 9.20 FAMILY LAW SETTLEMENT CONFERENCES

- A. Family law judicial officers may refer cases for a Settlement Conference which shall be conducted by a settlement conference officer as directed by the family law judicial officers. When setting a settlement conference date, the Court shall always set a Case Resolution Conference date following the settlement conference date. The Court will serve all parties personally or by mail.

Settlement Conferences will be scheduled only if Preliminary Declarations of Disclosure have been exchanged and an FL-141 has been filed by the requesting party and, if required, by the responding party; or the requesting party has complied and there is good cause for proceeding without the other party having provided the Preliminary Declaration of Disclosure and filed an FL-141.

- B. To request a Settlement Conference, parties (or their/his/her attorney if represented) may submit Sonoma County Local Form FL-074, Request/Response to Request for Settlement Conference, Trial, or Default Hearing.

The family law judicial officer will review cases set on the domestic, Case Resolution Conference, Child Support, and Trial calendars. If the court determines the case could benefit from a Settlement Conference, an order will be entered and a date for the conference will be set as well as a Case Resolution Conference date. The court will serve all parties with an order regarding the conference personally or by mail.

Parties (or their attorney, if they are represented) may submit a Request for Settlement Conference Only or Request for Settlement Conference and Trial, Sonoma County form FL-074, to request a Settlement Conference.

Settlement Conferences will be scheduled only if Preliminary Declarations of Disclosure have been exchanged and an FL-141 has been filed by both parties or the requesting party has complied and there is good cause for proceeding without the other party having filed the Preliminary Declaration of Disclosure and FL-141.

- C. The request will be reviewed by a family law judicial officer. If the judicial officer determines a Settlement Conference is appropriate, the Court will issue an order and serve the parties and/or attorneys with the order setting both a Settlement Conference and a Case Resolution Conference. If the party requesting a Settlement Conference and/or Trial has ~~exchanged the~~ provided a Preliminary Declaration of Disclosure and the responding party has not, if the Court does not set a Settlement Conference and/or Trial Date, the Court will place the matter on the next scheduled Case Resolution Conference at which time the Court may issue orders relating to the non-complying party's failure to exchange Preliminary Declaration of Disclosure, including, but not limited to, an order to comply, sanctions and setting a trial and settlement conference as originally requested.
- D. Each party shall served and submit Sonoma County local form FL-002, a Statement of Issues for Settlement Conference or Trial or Sonoma County local form FL-048, Settlement Conference Statement/Trial Brief, Sonoma County local form FL002 prior to the conference. The Statement of ~~Issues for Settlement Conference or Trial~~ must be submitted to the Civil & Family Law Courthouse, 3055 Cleveland Avenue, 10 (ten) calendar days prior to the Settlement Conference. The Statement of ~~Issues for Settlement Conference or Trial~~ shall be stamped as "received." Failure to submit a Statement of ~~Issues for Settlement Conference or Trial~~ in a timely manner may result in the Court ordering doing one or more of the following: 1) Rescheduling the settlement conference with the same panelist; 2) ordering the non-complying party to pay sanctions, 3) making other orders as appropriate.
- E. Any request to drop or continue the Settlement Conference and Case Resolution Conference must be made to the Family Law Judicial Assistant by 5:00 p.m. at least three (3) court days prior to the conference. Absent extraordinary circumstances, making a request in an untimely manner or failing to appear at the Settlement Conference may result in the eCourt ordering such party to pay sanctions. The eCourt will not drop the Case Resolution Conference unless a Judgment resolving all issues is submitted to the eCourt prior to the Case Resolution Conference date.
- F. **Appearances**

Each party and principal trial attorney for each party shall attend the Settlement Conference. The Settlement Conference shall be conducted by a Settlement Conference officer to be appointed by the court. Unless notified otherwise, appearance by all parties is mandatory. An attorney or party who fails to attend or participate effectively in any Settlement Conference may be subject to sanctions. Any alternative to personal appearance shall be pre-approved by a judicial officer.

A Settlement Conference calendar will be called by an assigned judicial officer at 1:30 p.m. on Thursday and 8:30 a.m. on Friday each week. At the calendar call, the court will assign the case to a Settlement Conference officer and also may consider the imposition of sanctions for failure to comply with any part of this rule.

Settlement Conferences will last a maximum of three (3) hours or until the parties are excused by the Settlement Conference officer. Parties and counsel are expected to be present for the entire Settlement Conference.

When the local child support agency has intervened in a case, the agency will determine if its appearance is necessary and notify the court of its intent to appear or not to appear. The agency may appear by telephone.

- G. If a complete settlement is not reached at the Settlement Conference, the case shall remain set for a Case Resolution Conference so the court can determine the next steps needed to resolve the case. (Eff. 1/1/2005; Rev. 7/1/2005, 7/1/2007, 1/1/2008, 7/1/2008, 1/1/2009, 7/1/2009, 7/1/2010; Renumbered 7/1/2011 – formerly Rule 9.18; Rev. 1/1/2012 and Renumbered – formerly Rule 9.19, Rev. 7/1/2012; 7/1/15) (Revised and renumbered 1/1/2016)

## 9.23 TRIAL AND EVIDENTIARY HEARINGS

These proceedings are intended to take more time so that the parties may call and question witnesses, testify themselves, and submit documentary evidence for the court to review.

For local rules relating to setting a custody issue for trial, see Sonoma County Local Rules, ~~¶~~Rule 5.

### A. Setting Issues for Trial

~~1B.~~ A family law contested cause may be set for trial by filing a Sonoma County local form FL-074, Request/Response to Request for Settlement Conference, Trial or Default Hearing. ~~Request/Response to Request for Settlement Conference/Request for Settlement Conference and Trial (Local Form FL-074).~~ The request for trial may be presented to the judicial officer at the domestic calendar hearing. If no hearing is pending, ~~thea~~ a request for transfer to the trial calendar shall be served and filed with the family law ~~court~~ clerk. The request for trial does not need to be filed as a joint request of the parties.

2. For contested causes set for trial directly from a domestic calendar, the judicial officer retains the discretion to set one or more of the following hearings: (1) Case Resolution Conference; (2) Settlement Conference.

3. Upon the filing of the Sonoma County local form FL-074 Request/Response to Request for Settlement Conference, Trial or Default Hearing ~~Request for Settlement Conference/Request for Settlement Conference and Trial~~, a Case Resolution Conference shall be scheduled before the judicial officer assigned to the case pursuant to Sonoma County Local Rule, rule 9.2. Case Resolution Conference may be scheduled within thirty (30) days of the filing of the request for trial. The court shall serve all parties or attorneys with a notice of Case Resolution Conference.

~~For contested causes set for trial directly from a domestic calendar, the judicial officer retains the discretion to set one or more of the following hearings: (1) Case Resolution Conference; (2) Settlement Conference.~~

4. If it is determined that a trial is necessary, the court shall either set the trial date far enough out for the parties to be able to comply with the discovery deadlines set forth in the California Code of Civil Procedure, or obtain a stipulation from the parties regarding the discovery cut off dates and set the trial date accordingly.

5. No matter will be set for trial until and unless the parties have exchanged their Preliminary Declarations of Disclosure and, if required, filed form FL-141, Declaration Regarding Service of Declaration of Disclosure.

### B. Case Resolution Conference

If the court sets a Case Resolution Conference in lieu of a Settlement Conference or trial date, the parties or attorneys shall file a Case Resolution Conference Statement, form FL-092, ten (10) calendar days prior to the conference. At the Case Resolution Conference, the court will review the status of the case and may make orders pursuant to Sonoma County Local Rule, rule 9.10.

### C. Trial Statement of Issues

If a Statement of Issues was submitted for a settlement conference, the Statement of Issues shall be deemed the Statement of Issues for trial and filed in the court file unless, at the time of the settlement conference, the party indicates he/she will be filing another Statement of Issues ten (10) calendar days prior to the trial date.

If a settlement conference was not held, the parties or attorneys shall file a Statement of Issues for Settlement Conference or Trial, Sonoma County form FL002, ten (10) calendar days prior to the trial date.

The statement of issues shall include all information requested in the Statement of Issues, Sonoma County form FL002.

**D. Meet and Confer**

The parties, and attorneys, if any, shall meet and confer in a good faith effort to resolve all of the issues in the case pursuant to Sonoma County Local Rule, rule 13.C. The parties, and attorneys, if any, shall state in the statement of issues the dates they met and conferred.

**E. Continuing a Trial**

**1. Continuing Domestic and Child Support Trials by Stipulation**

The court, upon a showing of good cause, may grant stipulated requests to continue a trial. The stipulated request shall be submitted to the assigned judicial officer by noon ten (10) calendar days prior to the hearing date. Counsel or parties shall submit a stipulation to continue, a declaration stating why the continuance is necessary, and a proposed order for continuance. The court has discretion to determine if good cause exists to grant the continuance of the hearing. Stipulation by itself does not constitute good cause for granting a continuance.

**2. Continuing Trials by Motion**

Any motion which seeks to advance or continue a settlement conference or any trial shall be set on the Domestic or Child Support calendar of the judicial officer assigned to hear the case. Requests for an order shortening time for service of a motion to continue shall be submitted to the judicial officer assigned to hear the case.

Any motion for continuance must be calendared for hearing at least seven (7) calendar days in advance of the trial (or other hearing) date, unless good cause is shown for a shortening of such time. Stipulation by itself does not constitute good cause for granting a continuance.

**F. Contempt Proceedings**

The citee in contempt proceedings shall not be required to comply with the meet and confer rules set forth above or participate in the preparation of the statement of issues.

**G. Master Calendar Call**

All matters set for trial shall be called on the assigned Master Calendar Call, which will be considered the initial trial date for discovery purposes. A matter will not proceed to trial on the date of the Master Calendar Call, at which time a specific date and time (generally in the following week) for commencement of the trial will be set. Parties and witnesses need not attend the Master Calendar Call unless it is necessary for them to be ordered back for the actual commencement of the trial. (Eff. 7/1/2005; Rev. 7/1/2006, 7/1/2007, 1/1/2008, 1/1/2009, 7/1/2009, 7/1/2010; Revised and Renumbered 7/1/2011 – formerly Rule 9.20; Renumbered 1/1/2012 – formerly Rule 9.21, Rev. 7/1/2012, Rev. 7/1/2013; 7/1/15) (renumbered 1/1/2016)

**9.25 ADOPTIONS**

**A.** In all adoption cases a hearing may be scheduled by contacting the Family Law Department's adoption line at (707) 521-6641.

**B.** The following documents must be filed or received by the court prior to scheduling the adoption hearing. Please note that you must call the court to receive a hearing date. The court does not automatically set a hearing in your adoption matter:

**1. Adult Adoptions:**

Petition (verified and signed by both parties)  
Agreement of Adoption (consent of both parties)  
Consent of Spouse of Adult Adoptee (if applicable)  
Consent of Spouse of Adopting Parent (If applicable)  
Court Report of Adoption (VS-44) if an amended birth certificate is requested.  
Order of Adoption (proposed)

**2. Agency/Independent/Inter-County Adoptions:**

Adoption Request  
Consent and/or Joinder of Department of Social Service OR  
Agency Copy of Order Terminating Parental Rights (certified copy of order needed if parental rights were terminated in another county) OR  
Consent/Relinquishment of natural Parents;  
Report of Social Services, OR Agency Report  
Court Report of Adoption (VS-44)  
Adoption Expenses  
Adoption Agreement (unsigned)  
Adoption Order (Proposed)

**3. Step-parent Adoption:**

Adoption Request  
Copy of Order Terminating Parental Rights (certified copy of order needed if parental rights were terminated in another county) OR  
Consent/Relinquishment of Natural Parent  
Report by Family Court Services  
Court Report of Adoption (VS-44)  
Adoption Agreement (unsigned)

**4. Step-parent Adoption for Children Born During the Marriage or Domestic Partnership Pursuant to Family Code § 9000.5**

Adoption Request  
Adoption Agreement  
Adoption Order  
A copy of the parties' marriage certificate, registered domestic partner certificate, or civil union  
A copy of the child's birth certificate  
Declarations by the parent who gave birth and the spouse or partner who is adopting explaining the circumstances of the child's conception in detail sufficient to identify whether there may be other persons with a claim to parentage of the child who is required to be provided notice of, or who must consent to, the adoption. (See Family Code § 9000.5(c)(3).)  
a. Adoptions under Family Code § 9000.5 will not require a hearing or investigation unless ordered by the court.

- C. The court may drop a matter from the adoption calendar for failure to comply with these rules. (Eff. 1/1/2002; Rev. 7/1/2005, 7/1/2009; Renumbered 7/1/2011 – formerly Rule 9.22; Rev. 1/1/2012 and Renumbered – formerly Rule 9.23; rev. 7/1/15)(renumbered 1/1/2016)

## **RULE 18 RULES APPLICABLE TO FILING AND GENERAL PROCEDURE**

### **Rule 18.19-Elisors**



Where one of the parties will not or cannot execute a document necessary to carry out a court order, the Clerk of the Court, or his or her authorized representative or designee, may be appointed as an elisor to sign the document.

When applying for an appointment of an elisor, the application and proposed order must designate "The Clerk of the Court or Clerk's Designee" as the elisor and indicate for whom the elisor is being appointed and in what capacity they are to sign the document. The application must not set forth a specific court employee. The order must expressly identify the document being signed and a copy of the document must be attached to the proposed order. An application for appointment of an elisor may be made ex parte.

Once an *Order Appointing Clerk of the Court to Sign Documents* has been filed, the applicant, or their attorney may arrange a time to have one of the above individuals sign the document(s). The applicant or their attorney must bring a certified copy of the court order along with the document(s) to the signing. The original document, presented for signature by the elisor, must match the copy of the document attached to the proposed order. The declaration supporting the application must include specific facts establishing the necessity for the appointment of the elisor. If the elisor is signing documents requiring notarization, the applicant must arrange for a notary public to be present when the elisor signs the document(s), at the applicant's expense.

The applicant shall pay a fee for the elisor according to the fee schedule, unless the applicant has a valid Fee Waiver. (Adopted 7/1/2017)

## **18.20 Electronic Records**

All documents filed in paper form with the Civil, Probate, and Family Law Clerks will be scanned and entered into the Court's case management system as a computerized court record. This electronic record is the official record of the court.

This rule shall not apply to court reporters' transcripts or to specifications for electronic recordings made as the official record of oral proceedings. These records shall be governed by the California Rules of Court.

This Rule shall not apply to original wills and codicils delivered to the clerk of the court under Section 8200 of the Probate Code. Original wills and codicils shall be retained as provided in Government Code Section 26810. Unless electronically certified by the court, a trial court record available by electronic access is not the official record of the court. (Eff. 7/1/2017)

## **18.21 FORMAT OF DOCUMENTS SUBMITTED FOR FILING**

Original documents presented to the clerk for filing shall be submitted without staples and shall not be two-hole punched.

Exhibit attachments to pleadings shall be separated by a standard 8 ½ x 11 sheet of paper with a title identifying the sequence of the exhibit. No tabs shall be included in any original document submitted for filing.

<b>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, Address, Telephone Number, and State Bar membership number):</b>  <b>ATTORNEY FOR (Name):</b>	<b>COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SONOMA</b> Civil & Family Law Courthouse, Family Law Division 3055 Cleveland Avenue Santa Rosa, CA 95403	
<b>PETITIONER/PLAINTIFF(S):</b>  <b>RESPONDENT/DEFENDANT(S):</b>  <b>CLAIMANT:</b>	<b>CASE NUMBER:</b>
<b>FINDINGS AND CONCLUSIONS OF COMMISSIONER</b> <b>(Family Law-Domestic Violence Prevention - Uniform Parentage)</b>	

1. This proceeding was heard  
 on (date): \_\_\_\_\_ at (time): \_\_\_\_\_ in Dept./Room: \_\_\_\_\_  
 by Commissioner: \_\_\_\_\_

- |   |   |
|---|---|
| <input type="checkbox"/> Petitioner/plaintiff present | <input type="checkbox"/> Attorney present (name): _____ |
| <input type="checkbox"/> Respondent/defendant present | <input type="checkbox"/> Attorney present (name): _____ |
| <input type="checkbox"/> Claimant present             | <input type="checkbox"/> Attorney present (name): _____ |

On the Order to Show Cause or Request for Order (date): \_\_\_\_\_  
 by: (name): \_\_\_\_\_

**THE COURT FINDS AND CONCLUDES:**

- |  |   |   |
|--|---|---|
| 2. Custody and visitation:   | <input type="checkbox"/> As attached              | <input type="checkbox"/> Not applicable             |
| 3. Child Support:  | <input type="checkbox"/> As attached              | <input type="checkbox"/> Not applicable             |
| 4. Spousal-Family support:   | <input type="checkbox"/> As attached              | <input type="checkbox"/> Not applicable             |
| 5. Property:   | <input type="checkbox"/> As attached              | <input type="checkbox"/> Not applicable             |
| 6. Domestic Violence Miscellaneous:  | <input type="checkbox"/> As attached              | <input type="checkbox"/> Not applicable             |
| 7. Other Findings and Conclusions:   | <input type="checkbox"/> As attached              | <input type="checkbox"/> Not applicable             |
| 8. Attorney fees (specify amount): \$ _____  | <input type="checkbox"/> Payable as child support | <input type="checkbox"/> Payable as spousal support |
| Payable to (name and address): _____   |   |   |
| Payable <input type="checkbox"/> Forthwith <input type="checkbox"/> Other (specify): _____ |   |   |

9. Any objections to these Findings and Conclusions shall be filed within 10 days.

DATE: \_\_\_\_\_

\_\_\_\_\_  
 COMMISSIONER OF THE SUPERIOR COURT

PETITIONER/PLAINTIFF:  
RESPONDENT/DEFENDANT:  
CLAIMANT:

CASE NUMBER:

### CLERK'S CERTIFICATE OF MAILING OR SERVICE

I certify that I am not a party to this cause and that

1. ☐ PERSONAL SERVICE. A true copy of this Findings and Conclusions of Commissioner was handed at the hearing of this matter, before the Commissioner, to the:  
☐ Petitioner/Plaintiff      ☐ Respondent/Defendant      ☐ Claimant
2. ☐ MAIL. A true copy of this Findings and Conclusions of Commissioner was mailed first class, postage fully prepaid, in a sealed envelope addressed as shown below, and that the request was mailed  
at (place): \_\_\_\_\_, California  
on (date): \_\_\_\_\_.

DATE:

Clerk, by \_\_\_\_\_, Deputy

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<b>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, Address, Telephone Number, and State Bar membership number):</b>  <b>ATTORNEY FOR (Name):</b>	<b>COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SONOMA</b> Civil & Family Law Courthouse, Family Law Division 3055 Cleveland Avenue Santa Rosa, CA 95403	
<b>PETITIONER/PLAINTIFF(S):</b>  <b>RESPONDENT/DEFENDANT(S):</b>  <b>OTHER PARENT:</b>	<b>CASE NUMBER:</b>
<b>REVIEW OF COMMISSIONER'S FINDINGS AND CONCLUSIONS</b>	

1. HEARING WAS HELD BEFORE Commissioner (name):  
on (date):
2. The *Findings and Conclusions of Commissioner* was filed on (date):
3. ☐ No objection having been filed within 10 court days, the findings of fact and conclusions of the Commissioner are ratified. Each of the parties is ordered to comply with all the terms set forth in FL-021, filed on \_\_\_\_\_.

4. a. ☐ An objection was filed on (date): \_\_\_\_\_ by (specify): \_\_\_\_\_

b. A hearing de novo is set for:

(1) Date:	Time:	Dept.
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(2) The address of the Court ☐ is shown above ☐ is as follows:

c. ☐ THE FOLLOWING ARE THE TEMPORARY ORDERS:

1. ☐ The conclusions of the Commissioner

2. ☐ Other (specify): \_\_\_\_\_

☐ Continued in Attachment 4c.

DATE:

\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT

☐ SIGNATURE FOLLOWS LAST ATTACHMENT

5. Number of additional pages attached: \_\_\_\_\_

PETITIONER/PLAINTIFF:  
RESPONDENT/DEFENDANT:  
CLAIMANT:

CASE NUMBER:

### CLERK'S CERTIFICATE OF MAILING

I certify that I am not a party to this cause and that a true copy of the *Review of Commissioner's Findings of Fact and Conclusions* was mailed first class, postage fully prepaid, in a sealed envelope addressed as shown below, and that the form was mailed at (place): \_\_\_\_\_, California, on (date): \_\_\_\_\_.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

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<b>ATTORNEY OR PARTY WITHOUT ATTORNEY</b> (Name, Address, Telephone Number, and State Bar membership number):  <b>ATTORNEY FOR (Name):</b>	<b>COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SONOMA</b> Civil & Family Law Courthouse, Family Law Division 3055 Cleveland Avenue Santa Rosa, CA 95403	
<b>PETITIONER/PLAINTIFF(S):</b>  <b>RESPONDENT/DEFENDANT(S):</b>  <b>CLAIMANT:</b>	<b>CASE NUMBER:</b>
<b>REQUEST TO DROP HEARING</b>	

I, \_\_\_\_\_ (name), am the moving party/attorney in this case, and I would like to drop the hearing and the Family Court Services (FCS) child custody recommending counseling session. A Responsive Declaration ☐ has ☐ has not been filed by the other party.

Hearing date: \_\_\_\_\_ Department: \_\_\_\_\_ Time: \_\_\_\_\_ AM / PM

FCS date: \_\_\_\_\_ Time: \_\_\_\_\_ ☐ Not Applicable

**NOTE: If you drop the hearing, the Court is required to cancel the Family Court Services appointment. It is the moving party's responsibility to notify the other party of this cancellation.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Moving Party/Attorney

Where Court Approval Required:

☐ The hearing may be dropped from calendar. The Responsive Declaration did not request affirmative relief on the pending issues.

☐ The hearing may not be dropped from calendar. The Responsive Declaration requested affirmative relief on the pending issues.

Date: \_\_\_\_\_

\_\_\_\_\_  
JUDICIAL OFFICER



☐ RESTRAINING ORDERS ARE IN EFFECT OR DOCUMENTED HISTORY OF DOMESTIC VIOLENCE EXISTS

[illegible]

Date: \_\_\_\_\_

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